

Notice of Allowability

Application No.

10/602,259

Examiner

Kara E. Geisel

Applicant(s)

ARRIETA ET AL.

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to the application filed 25 June 2003.
2. ☒ The allowed claim(s) is/are 1-38.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 5. ☒ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☒ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date 0905.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date _____
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____

Gregory D. Tooley, Jr.
Supervisory Patent Examiner

DETAILED ACTION*Drawings*

The drawings are objected to because In order to make the drawings more readily readable, the parts of the apparatus shown, in Fig. 3 in block diagram form require appropriate descriptive legends. See 37 CFR § 1.84(o). A proposed drawing correction or corrected drawings are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.

Examiner's Reasons for Allowance

Claims 1-38 are allowed over the prior art of record.

The following is an examiner's statement of reasons for allowance:

As to claim 1, the prior art of record, taken alone or in combination, fails to disclose or render obvious a method of detecting a chemical species using a spectroscopy system comprising providing at least one light source emitting a beam of light incident to the chemical species, the beam of light causing the chemical species to emit a signal and a photochemical reaction to shift a spectrum of the signal emitted by the chemical species, in combination with the rest of the limitations of claim 1.

As to claim 10, the prior art of record, taken alone or in combination, fails to disclose or render obvious a method of detecting a chemical species at a stand-off distance using a spectroscopy system comprising providing a first beam of light at a first wavelength incident to the chemical species, the first beam of light causing the chemical species to emit a signal, providing a second beam of light at a second wavelength, the second beam of light causing a photochemical reaction in the chemical species to shift a spectrum of the signal emitted by the chemical species, in combination with the rest of the limitations of claim 10.

As to claim 23, the prior art of record, taken alone or in combination, fails to disclose or render obvious a spectroscopy system for detecting a chemical species comprising at least one

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light source capable of emitting a beam of light incident to the chemical species, the beam of light causing the chemical species to emit a signal and further causing a photochemical reaction to shift a spectrum of the light emitted from the chemical species, in combination with the rest of the limitations of claim 23.

As to claim 32, the prior art of record, taken alone or in combination, fails to disclose or render obvious a spectroscopy system for detecting a chemical species at a stand-off distance comprising a first light source capable of emitting a first beam of light at a first wavelength incident to the chemical species, the first beam of light causing the chemical species to emit a signal, a second light source capable of emitting a second beam of light at a second wavelength, the second beam of light causing a photochemical reaction in the chemical species to shift a spectrum of the signal emitted by the chemical species, in combination with the rest of the limitations of claim 32.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Additional Prior Art

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. The prior art made of record is Zaromb (USPN 3,768,908), Sohma et al. (USPN 4,820,046), Blanchard et al. (USPN 5,633,313), and Schultz et al. (USPN 6,180,415).

Zaromb discloses a method and apparatus for detecting a chemical species at a stand-off distance using a spectroscopy system.

Sohma discloses a spectroscopy system for detecting a chemical species at a stand-off distance, comprising a light source capable of emitting a beam of light at a wavelength, the beam of light causing a photochemical reaction in the chemical species, a detector positioned to detect a

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signal emitted from the chemical species, and a data processor system in communication with the detector to process the signal to determine the identity of the chemical species.

Blanchard discloses a spectroscopy system for detecting the cure of a polymer comprising a beam of light at a wavelength incident to the polymer, the beam of light causing the polymer to emit a signal, providing a photochemical reaction means, the means causing a photochemical reaction in the polymer to shift a spectrum of the signal emitted by the polymer, a detector positioned to detect a signal emitted from the polymer, and a data processor system in communication with the detector to process the signal to determine the degree of cure of the polymer.

Schultz discloses a spectroscopy system for detecting a chemical species comprising a beam of light at a wavelength incident to the chemical species, the beam of light causing the chemical species to emit a signal, providing a photochemical reaction means, the means causing a photochemical reaction in the chemical species to shift a spectrum of the signal emitted by the chemical species, a detector positioned to detect a signal emitted from the chemical species, and a data processor system in communication with the detector to process the signal to determine the identity of the chemical species.

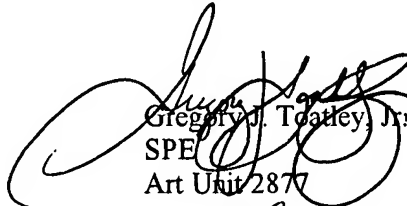
Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kara E Geisel whose telephone number is 571 272 2416. The examiner can normally be reached on Monday through Friday, 8am to 4pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Gregory J. Toatley, Jr. can be reached on 571 272 2800 ext. 77. The fax phone number for the organization where this application or proceeding is assigned is 571 273 8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


Gregory J. Tooley, Jr.
SPE
Art Unit 2877
15 Sept 05

K. G.
KEG
September 13, 2005